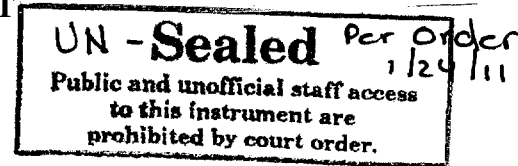


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION



UNITED STATES OF AMERICA

v.

OSCAR NAVA-VALENCIA
also known as Lobo
also known as Tierno

Criminal No.

H 08 237

United States Courts
Southern District of Texas
FILED

APR 21 2008

Michael N. Milby, Clerk

SEALED INDICTMENT

THE GRAND JURY CHARGES:

Count One

From on or about February 15, 2005 and continuing up to and including the date of the return of the indictment, in the United States, Panama and elsewhere, and within the jurisdiction of the Court, the defendants

OSCAR NAVA-VALENCIA,
also known as Lobo,
also known as Tierno,
and

did knowingly and unlawfully combine, conspire, confederate and agree together and with others known and unknown to the Grand Jury to knowingly and intentionally distribute a controlled substance intending and knowing that such substance would be unlawfully imported into the United States. This violation involved five (5) kilograms or more of a mixture or substance

containing a detectable amount of cocaine a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 959(a), 963 and 960.

Count Two

On or about March 27, 2006, in the United States, Panama and elsewhere, and within the jurisdiction of the court, the defendants

**OSCAR NAVA-VALENCIA,
also known as Lobo,
also known as Tierno,
and**

each aiding and abetting the other, did unlawfully and knowingly distribute, and cause the distribution of a controlled substance, knowing and intending that such controlled substance would be unlawfully imported into the United States. This violation involved five (5) kilograms or more, that is approximately 3,100 kilograms, of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 959(a) and 960 and Title 18, United States Code, Section 2.

NOTICE OF FORFEITURE

As a result of the foregoing violations of Title 21, United States Code, defendants

**OSCAR NAVA-VALENCIA,
also known as Lobo,
also known as Tierno,
and**

shall, pursuant to Title 21, United States Code, Section 853(a), forfeit to the United States all of their interest in all property constituting or derived from any proceeds the defendants obtained

either directly or indirectly from said violations as well as all of their interest in all property used or intended to be used in any manner to commit or facilitate the commission of said violations.

If any property subject to forfeiture by Title 21, United States Code, Section 853(a), as a result of any act or omission of any defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to a third person or entity;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek the forfeiture of any and all other property of said defendants as substitute assets for the property whose forfeiture has been impeded for reasons (1), (2), (3), (4), or (5) described above.

A TRUE BILL

ORIGINAL SIGNATURE ON FILE

FOREPERSON *o*

DONALD J. DeGABRIELLE, JR.
UNITED STATES ATTORNEY



JAMES STURGIS
ASSISTANT UNITED STATES ATTORNEY